



7404-000318.CPS.cik.266342

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
)
Edward P. Perez) Before the Examiner
) Daniel J. Davis
Serial No. 10/054,270)
) Group Art Unit 3731
Filed January 22, 2002)
) February 20, 2004
LANCET DEVICE HAVING)
CAPILLARY ACTION)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on

February 20, 2004

(Date of Deposit)

Charles P. Schmal

Name of Registered Representative

Signature

February 20, 2004

Date of Signature

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicant requests consideration of the references listed on attached form PTO-1449 (PTO/SB08A&B) and/or the additional information identified below in paragraph 4. A legible copy of each reference listed on form PTO-1449 is enclosed, except:

☐ a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. _____ and/or

☐ a copy of each U.S. patent and/or U.S. patent application publication is not provided because the present application has been filed or entered the national stage after June 30, 2003 and the Patent Office has waived the requirements of 37 CFR 1.98 (a)(2)(i) for submitting such documents in applications filed or nationalized after June 30, 2003.

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application (other than a continued prosecution application), or

before the mailing date of the first Office Action on the merits,

and thus no certification and/or fee is required.

Information Disclosure Statement
Serial No. 10/054,270
Group Art Unit 3731
Attorney Docket No. 7404-318
Page 1 of 3

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1b. ☐ This Information Disclosure Statement is submitted after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ a fee of \$_____ (set forth in 37 CFR §1.17(p)) is enclosed.

1c. ☒ This Information Disclosure Statement is submitted after the mailing date of a final Office Action or Notice of Allowance and prior to payment of the issue fee, and thus:

(1) ☐ **the certification of paragraph 2 below is provided, and
a fee of \$_____ (set forth in 37 CFR §1.17(p)) is enclosed; or**

(2) ☒ a Request for Continued Examination (RCE) has been filed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement, or

b. ☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

c. ☐ A copy of a dated communication from a foreign patent office which clearly shows the statement is being submitted within three (3) months of the date on the communication is enclosed.

3. ☐ A copy of a Search Report or Written Opinion from a foreign patent office is enclosed.

4. ☐ Consideration of the following additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

5. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

a. ☐ an English language translation submitted herewith,

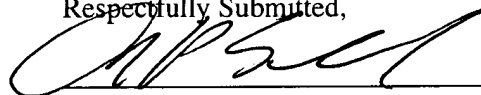
b. ☐ a foreign patent office search report (in the English language) submitted herewith,

- c. ☐ an English language translation of a foreign patent office search report submitted herewith,
- d. ☐ the concise explanation contained in the specification of the present application at page^s _____,
- e. ☐ the concise explanation set forth in the attached English language abstract,
- f. ☐ a copy of a related patent publication (in the English language) submitted herewith,
- g. ☐ the concise explanation set forth below:

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

It is believed that no additional fees are required. Should any other fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully Submitted,



Charles P. Schmal, Reg. No. 45,082
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/054,270
				Filing Date	1/22/2002
				First Named Inventor	PEREZ, ROE
				Group Art Unit	3731
				Examiner Name	Daniel J. Davis
Sheet	1	of	5	Attorney Docket Number	7404-318

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		4,375,815	03-08-1983	Burns	
		4,469,110	09-04-1984	Slama	
		4,627,445	12-09-1986	Garcia et al.	
		4,677,979	07-07-1987	Burns	
		4,787,398	11-29-1988	Garcia et al.	
		4,883,068	11-28-1989	Dechow	
		4,990,154	02-05-1991	Brown et al.	
		5,014,718	05-14-1991	Mitchen	
		5,029,583	07-09-1991	Meserol et al.	
		5,035,704	07-30-1991	Lambert et al.	
		5,070,886	12-10-1991	Mitchen et al.	
		5,163,442	11-17-1992	Ono	
		5,217,480	06-08-1993	Haber et al.	
		5,231,993	08-03-1993	Haber et al.	
		5,279,294	01-18-1994	Anderson et al.	
		5,518,006	05-21-1996	Mawhirt et al.	
		5,540,709	07-30-1996	Ramel	
		5,582,184	12-10-1996	Erickson et al.	
		5,607,401	03-04-1997	Humphrey	
		5,628,765	05-13-1997	Morita	
		5,662,127	09-01-1997	De Vaughn	
		5,682,233	10-28-1997	Brinda	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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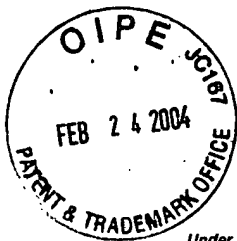
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		5,755,733	05-26-1998	Morita	
		5,798,031	08-25-1998	Charlton et al.	
		5,857,983	01-12-1999	Douglas et al.	
		5,871,494	02-16-1999	Simons et al.	
		5,873,887	02-23-1999	King et al.	
		5,879,311	03-09-1999	Duchon et al.	
		5,947,957	09-07-1999	Morris	
		5,951,492	09-14-1999	Douglas et al.	
		5,951,493	09-14-1999	Douglas et al.	
		5,971,941	10-26-1999	Simons et al.	
		6,027,459	02-22-2000	Shain et al.	
		6,036,924	03-14-2000	Simons et al.	
		6,056,701	05-02-2000	Duchon et al.	
		6,063,039	05-16-2000	Cunningham et al.	
		6,071,249	06-06-2000	Cunningham et al.	
		6,071,251	06-06-2000	Cunningham et al.	
		6,071,294	06-06-2000	Simons et al.	
		6,093,156	07-25-2000	Cunningham et al.	
		6,099,484	08-08-2000	Douglas et al.	
		6,120,676	09-19-2000	Heller et al.	
		6,143,164	11-07-2000	Heller et al.	
		6,152,889	11-29-2000	Sopp et al.	

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				Examiner Name	Daniel J. Davis
Sheet	3	of	5	Attorney Docket Number	7404-318
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		6,159,424	12-12-2000	Kauhaniemi et al.	
		6,183,489 B1	02-06-2001	Douglas et al.	
		6,206,841	03-27-2001	Cunningham et al.	
		6,270,637 B1	08-07-2001	Crismore et al.	
		6,283,926	09-04-2001	Cunningham et al.	
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		6,352,514 B1	03-05-2002	Douglas et al.	
		6,364,890 B1	04-02-2002	Lum et al.	
		6,561,989	05-13-2003	Whitson	
		D 254,444	03-11-1980	Levine	
		Re 35,803	05-19-1998	Lange et al.	
		US 2001/0031931 A1	10-18-2001	Cunningham et al.	
		US 2001/0039387 A1	11-08-2001	Rutynowski et al.	
		US 2002/0004196 A1	01-10-2002	Whitson	
		US 2002/0040230 A1	04-04-2002	Kuhr et al.	
		US 2002/0082522 A1	06-27-2002	Douglas et al.	
		US 2002/0130042 A1	09-19-2002	Moerman et al.	
		US 2002/0169393 A1	11-14-2002	Cunningham et al.	
		US 2002/0177788 A1	11-28-2002	Hodges, Alastair et al.	
		US 2003/0088191 A1	05-08-2003	Freeman et al.	

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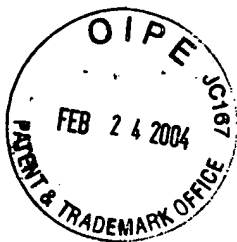
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		Number-Kind Code ² (if known)			
		US 2003/0199894 A1	10-23-2003	Boecker et al.	
		US 2003/0199898 A1	10-23-2003	Boecker et al.	
		US 2004/0009100 A1	01-15-2004	Simons et al.	

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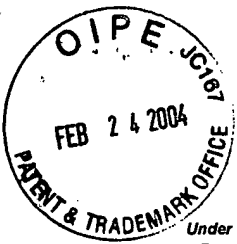
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite 1 No.	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁶
		EP 1 281 352	A1	02-05-2003	Yuzhakov et al.		
		WO 01/72220	A1	10-04-2001	USF Filtration & Se		
		WO 02/056751	A2	07-25-2002	Perez et al.		
		WO 02/078533	A2	10-10-2002	Moerman et al.		
		WO 02/100252	A2	12-19-2002	Pelikan Technologie		
		WO 02/100253	A2	12-19-2002	Pelikan Technologie		
		WO 02/100254	A2	12-19-2002	Pelikan Technologie		
		WO 02/101359	A2	12-19-2002	Pelikan Technologie		
		WO 02/36010	A1	05-10-2002	Fritz et al.		
		WO 03/088834	A1	10-30-2003	Pelikan Technologie		
		WO 03/088851	A1	10-30-2003	Freeman et al.		
		WO 03/094752	A1	11-20-2003	Pelikan Technologie		
		WO 93/09710		05-27-1993	Habley		
		WO 93/09723		05-27-1993	Ramel		

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